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14
15 **UNITED STATES DISTRICT COURT**

16 **CENTRAL DISTRICT OF CALIFORNIA**

17 PEPPERDINE UNIVERSITY,

18 Plaintiff,

19 v.

20 NETFLIX, INC., WARNER BROS.
21 ENTERTAINMENT INC., and
KALING INTERNATIONAL, INC.,

22 Defendants.

Case No.: 2:25-cv-01429-CV (ADSx)

**DECLARATION OF MATT KLINE IN
SUPPORT OF DEFENDANTS'
MOTION TO DISMISS FIRST
AMENDED COMPLAINT**

*[Filed concurrently with Defendants' Notice
of Motion and Motion to Dismiss First
Amended Complaint; Memorandum of
Points and Authorities; Notice of Lodging;
[Proposed] Order]*

Hearing Date: June 20, 2025

Time: 1:30 p.m.

Place: Courtroom 5D

Judge: Hon. Cynthia Valenzuela

1 I, Matt Kline, declare and state as follows:

2 1. I am an attorney admitted to the Bar of the State of California and to
3 the Bar of this Court. I am a partner at the law firm O'Melveny & Myers LLP,
4 counsel for Defendants Netflix, Inc. ("Netflix"), Warner Bros. Entertainment Inc.,
5 and Kaling International, Inc. Unless otherwise stated, I have personal knowledge
6 of the facts contained within this declaration, and, if called upon as a witness, I
7 could and would testify competently thereto.

8 2. At my request, Netflix sent my law firm copies of the ten episodes of
9 the first season of *Running Point*, which are available to Netflix subscribers on its
10 streaming service. The episodes Netflix sent are identical to those available to
11 Netflix viewers, except that Netflix added the file name, which flashes briefly at the
12 beginning of each episode, and a watermark bearing this case number for security
13 purposes. At my request, Netflix also sent my law firm a copy of the *Running Point*
14 trailer, which is available to the public for free on YouTube. At my direction, my
15 law firm created five copies of the episodes and trailer: three copies to submit to the
16 Court, one copy for Plaintiff's file, and one copy for Defendants' file.

17 3. Submitted to this Court as **Exhibit A** are three identical flash drives,
18 each of which contains true and correct copies of the trailer and ten episodes of the
19 first season of *Running Point*.

20
21 Executed on April 18, 2025, in Los Angeles, California.

22
23 /s/ Matt Kline

24 Matt Kline
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